

**United States District Court**

**for**

**Middle District of Alabama**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Gail Y. McNair

Case Number: 2:06cr49-VPM

Name of Sentencing Judicial Officer: The Honorable Vanzetta Penn McPherson, U.S. Magistrate Judge

Date of Original Sentence: September 11, 2006

Original Offense: Theft of Government Funds

Original Sentence: 12 months probation

Type of Supervision: Probation

Date Supervision Commenced: September 11, 2006

**PETITIONING THE COURT**

- ☐ To extend the term of supervision for \_\_ years, for a total term of \_\_ years.  
☒ To modify the conditions of supervision as follows:

**The defendant shall participate in drug testing and/or treatment. The defendant shall contribute to the cost of any treatment based on ability to pay and availability of third party payments.**

**CAUSE**

On September 11, 2006, the defendant reported to the office following her sentencing at which time the conditions of probation were reviewed with her and a urine sample collected. The sample which Ms. McNair submitted tested presumptive positive for cocaine. Upon the defendant's denial of using cocaine, the sample was forwarded to Scientific Testing Laboratories for confirmation testing. On September 21, 2006, STL notified that the urine sample was confirmed positive for cocaine.

Ms. McNair is currently under the supervision of the United States Probation Office in Birmingham, Alabama since she is living and working in the Northern District of Alabama. According to her supervising officer, the defendant has since admitted to using cocaine. She is willing to participate in drug testing and treatment and has signed the attached Probation Form 49 agreeing to the modification of her conditions of probation and waiving her right to assistance of counsel and to a hearing. It is believed that the modification will assist the probation officer in properly addressing any substance abuse issues with Ms. McNair.

Respectfully submitted,

by /s/ David Ron Thweatt

David Ron Thweatt  
Supervisory U.S. Probation Officer  
Date: October 5, 2006

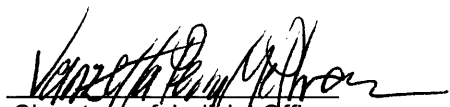
Reviewed and approved: /s/ R. Dwayne Spurlock  
R. Dwayne Spurlock  
Deputy Chief U.S. Probation Officer

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THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

6 October 2006  
Date